

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

THE CITY OF HIALEAH EMPLOYEE'S)	Civ. Action No. 07-1513
RETIREMENT SYSTEM and LABORERS)	
PENSION TRUST FUND FOR NORTHERN)	<u>CLASS ACTION</u>
CALIFORNIA, On Behalf of Themselves and)	
All Others Similarly Situated,)	The Honorable C. Darnell Jones II
)	
Plaintiffs,)	DECLARATION OF SPENCER A.
)	BURKHOLZ IN SUPPORT OF LEAD
vs.)	PLAINTIFFS' MOTION FOR CLASS
)	CERTIFICATION
TOLL BROTHERS, INC., et al.,)	
)	
Defendants.)	
)	
)	

I, SPENCER A. BURKHOLZ, declare as follows:

1. I am an attorney duly licensed to practice before all of the courts of the State of California. I am a member of the law firm of Robbins Geller Rudman & Dowd LLP, one of the counsel of record for Lead Plaintiffs in the above-entitled action. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. Attached are true and correct copies of the following exhibits:

Exhibit 1: Relevant portions of the April 14, 2010 deposition transcript of Alan Voorhees;

Exhibit 2: Relevant portions of the April 15, 2010 deposition transcript of Edward J. Smith;

Exhibit 3: Firm resume of Robbins Geller Rudman & Dowd LLP; and

Exhibit 4: Firm resume of Berger & Montague, P.C.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 14th day of May, 2010, at San Diego, California.

s/ SPENCER A. BURKHOLZ
SPENCER A. BURKHOLZ

CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 14, 2010.

s/ SPENCER A. BURKHOLZ
SPENCER A. BURKHOLZ

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- (No manual recipients)